

FARAD CONTINUATION SHEET NO:
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

WRIT PETITION NO.1099 OF 2007

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Prothonotary's orders.	:	Court's or Judge's orders.
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Mr.J.P.Cama i/b Crawford & Bayley & Co. for the
petitioners.
Mr.V.A.Pai for the respondents.

CORAM: D.B.BHOSALE, J.
DATED: 16TH OCTOBER, 2007

P.C.:

. Heard learned counsel for the parties.

2. Mr.Cama, learned senior counsel for the petitioners submits that he has instructions to withdraw this petition. However, Mr.Cama submits that the labour court may be directed to pass Part II award uninfluenced by the observations made in Part I award. To this submission Mr.Pai, learned counsel for the respondents did not seriously oppose since according to him, the labour court will have to conduct a fresh trial. Having considered the submissions of learned counsel for the parties I am satisfied that this petition can be disposed of by the following order:

. The petition is allowed to be withdrawn.

All contentions of both the sides are kept open. It is needless to express that the labour court after giving an opportunity to the petitioners to justify the punishment awarded to the respondent-employee by adducing evidence shall pass Part II award on merits in accordance with law and uninfluenced by the observations made in the impugned Part I award. With this observation the writ petition is disposed of.

(D.B.BHOSALE, J.)